

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-25 are currently pending in the application. Claims 1, 5-15, 19 and 21-22 are amended by the present amendment. Support for amended Claims 1, 5-15, 19 and 21-22 can be found in the original specification, claims and drawings.¹ No new matter is presented.

By way of summary, the Official Action presents the following issues; Claims 1 and 3-15 were rejected under 35 U.S.C. §102(b) as anticipated by Wactlar (U.S. Patent No. 5,835,667 hereinafter “Wactlar”); Claims 16-18 were rejected under 35 U.S.C. §102(b) as anticipated by Misawa et al. (U.S. Patent No. 5,444,482, hereinafter “Misawa”); Claims 19-22, 19/23, 20/23, 21/24 and 22-25 were rejected under 35 U.S.C. §102(b) as anticipated by Riek et al. (U.S. Patent No. 5,987,179, hereinafter “Reik”); Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Wactlar; and Claims 16/23, 17/24 and 18/25 were rejected under 35 U.S.C. §103(a) as unpatentable over Misawa and in further view of Reik.

In response to the rejection based on Wactlar, Applicants respectfully submit that amended Claim 1 states features clearly not taught or rendered obvious by Wactlar.

Briefly recapitulating, Claim 1 relates to an information processing apparatus having a first means for recording one moving picture in at least one recording increment. A still picture corresponding to a predetermined one of the recording increments of the moving picture is then recorded by a second recording means. Specific parameters corresponding to information about the moving picture is then recorded by a third recording means.

¹ Specification at Figure 6.

Amended Claim 1 recites, *inter alia*, an information processing apparatus, comprising:

“...said information including at least one of date of creation, date of modification, expiration date, and safeguard setting against inadvertent erasure.”

Amended independent Claims 5-15, are similarly amended to recite that such parameters are stored in association with the image data.

Wactlar describes an apparatus and method for creating a digital library from audio data corresponding to video images. Specifically, Wactlar describes that a digital video library system (10) annotates digital video automatically by speech and language interpretation, this transcribed data is stored in a database and is searched by way of a conventional keyword search.² The segments of video, whose transcribed audio data match the terms provided in the keyword search, are returned to the user as results of the search.³ Wactlar also describes that time stamps are stored in association with the segmented video to allow the user to only view portions of the segmented video that are relevant to his/her search.⁴

However, beyond the transcribed text corresponding to the video files, and the time stamp information, Wactlar fails to teach or suggest that any additional information is stored in association with the video file.

Amended Claim 1 describes that a one of a parameter corresponding to date of creation, date of modification, expiration date and safeguard setting against inadvertent erasure is/are stored in association with the moving picture data. Alternatively, Wactlar describes that only transcribed audio and time stamp information is stored in association with the digital content data, so that the above-described searching function is facilitated.

² Wactlar abstract.

³ Wactlar at column 7, lines 20-33.

⁴ Wactlar at column 8, lines 15-20.

The outstanding Official Action states that “there are several suggestions of other obvious parameters being included in the search algorithms” in referring to Waclar’s description.⁵ However, the Official Action fails to particularly point out the portions of Waclar that provide such suggestions, and Waclar clearly describes that the focus of the search algorithms in his disclosure is to perform keyword searches on the transcribed audio portions of corresponding video file.⁶ There is no suggestion or motivation whatsoever to suggest that any parameters corresponding to date of creation, date of modification, expiration date and safeguard setting against inadvertent erasure are stored in association with the moving picture data, as recited in amended Claim 1.

As a consequence, it is respectfully submitted that amended Claim 1, as well as depend Claims 2-4 patentably define over Waclar. For substantially the same reasons as given with respect to amended Claim 1, it is also submitted that Claims 5-15, as amended, also patentably define over Waclar.

Claims 16-18 were rejected under 35 U.S.C. §102(b) as being anticipated by Misawa. Applicants respectfully traverse this rejection.

Claim 16 recites, *inter alia*, an information processing apparatus, comprising:

“recording means for recording file designation information designating a moving picture recorded on an external storage medium, and still picture information corresponding to said moving picture.”

Amended independent Claims 17 and 18 recite similar features.

Turning to the applied reference, Misawa describes a digital electronic camera for selectively recording the frame of a still image in movie fields of an image in a recording medium. In rejecting the above-noted limitation recited in Claim 16, the Official Action relies on col. 2, lines 45-49 of Misawa which states “digital camera (1) is adapted to be operative in response to a manipulation of an operator to selectively record in an optical disk

⁵ Outstanding Official Action at page 3.

⁶ Waclar at col. 6, lines 55-67, for example.

(25) image data representing a still image of an object and consecutive images of the image in the form of moving pictures".⁷ Thus, Misawa simply describes a digital camera which has two modes of operation, one mode of operation allows an operator to selectively record data representing a still image of an object and consecutive images of the object in the form of moving pictures.

In contrast, Claim 16 recites means for recording file designation information designating a moving picture recorded on an external storage medium and for storing still picture information corresponding to the moving picture. Misawa fails, at any point, to teach or suggest that file designation information designating a moving picture recorded on an external storage medium is recorded. Misawa does describe a frame memory (18) which temporarily stores image data for the purpose of recording the data to the optical disk (25), but the image data is only stored in the frame memory (18) temporarily, and no file designation information is stored, much less file designation corresponding to a moving picture file and an external medium.⁸ Therefore, at no point does Misawa teach or suggest the *file designation information designating a moving picture recorded on an external storage medium* is recorded in the information processing apparatus, as recited in Claim 16.

Claim 16 further recites that the information processing apparatus includes a means for recording still picture information corresponding to a moving picture which is recorded in an external storage medium. However, as discussed above, Misawa describes that the image data is only stored temporarily in the frame memory (18) before it is permanently recorded in the optical disk (25). Therefore, the still pictures are recorded in the optical disk (25) after the data has passed through the frame memory (18). Accordingly, the frame memory (18) does not include still picture information corresponding to a moving picture recorded on the external storage medium, as recited in Claim 16.

⁷ Outstanding Official Action at page 6, third paragraph.

⁸ Misawa at col. 2, line 63 – col. 3, line 7.

Consequently, Applicant respectfully requests that the rejection of Claim 16 under 35 U.S.C. § 102(b) be withdrawn. For substantially the same reasons as given with respect to Claim 16, it is also submitted that Claims 17 and 18 patentably define over Misawa.

Claims 19, 21 and 22 were rejected under 35 U.S.C. § 102(b) as anticipated by Riek. Applicants respectfully traverse this rejection.

Amended Claim 19 recites, *inter alia*, an information processing apparatus, comprising:

“reproducing means for **retrieving file designation information** and still picture information **from an internal storage medium, said file designation information designating a moving picture recorded on an external storage medium**, said still picture information corresponding to said moving picture.”

Amended Claims 21 and 22 recite similar features.

Turning to the applied reference, Riek describes a method and apparatus for encoding high-fidelity still images in MPEG bit streams. Specifically, Riek describes that a frame in an uncompressed digital video signal is selected for encoding as a high-fidelity still image.⁹ The digital video signal is encoded to produce an MPEG encoded bit stream and additional bits are employed to encode the selected frame, to produce an enhanced MPEG encoded bit stream.¹⁰

Amended Claim 19 recites a reproducing means for retrieving file designation information designating a moving picture recorded on an external storage medium. The Official Action relies on col. 11, lines 9-11 of Riek as describing the above-noted limitation recited in amended Claim 19. This portion of Riek, however, describes that a standard MPEG decoder is modified to recognize when a high-fidelity image has been encoded in the bit stream (upon a user selection). While the MPEG bit stream may indicate that the image is

⁹ Riek at Abstract.

¹⁰ Riek at Figs 4-6.

high-fidelity, it is raw data from the image pick-up portion of the camera and does not include designation information designating a moving picture recorded on an external storage medium, as recited in Claim 19.

The Official Action also cites col. 3, lines 48-50 of Riek and states that “a frame in an uncompressed digital video signal is selected for encoding as a high-fidelity still image”, as reading on file designation information designating a moving picture which is recorded on an external storage medium. However, the MPEG bit streams and compressed digital video signals originate from the CCIR601 converter (27) and could not possibly include any file designation information corresponding to a moving picture recorded on an external storage medium, because moving picture information that may later be stored on an external medium has not, itself, been assigned a file designation.¹¹ Thus, it is not possible for the file designation information encoded in the MPEG bit stream of Riek to include file designation information designating moving picture recorded on an external storage medium when the moving picture information is not recorded in the external storage medium when the MPEG bit stream is processed.

Further, the fundamental operation of Riek differs significantly from the operation recited in Claim 19 and it is unclear which portions of Riek correspond to the specific features recited in amended Claim 19. Specifically, Riek fails to include a reproducing means which retrieves file designation information and still picture information from an internal storage medium wherein the file designation information designates a moving picture recorded on an external storage medium and the still picture information corresponds to the moving picture stored on the external storage medium.

¹¹ Outstanding Official Action at page 7, first paragraph.

Accordingly, Applicants respectfully request that the rejection of Claim 19 under 35 U.S.C. § 102(b) be withdrawn. For substantially the same reasons as given with respect to amended Claim 19, it is also submitted that Claims 21 and 22 patentably define over Riek.

Claims 16/23, 17/24 and 18/25 were rejected under 35 U.S.C. § 103(a) as unpatentable over Misawa and in further view of Riek. As discussed above, Misawa fails to teach or suggest a recording means for recording file designation information designating a moving picture recorded on an external storage medium, and still picture information corresponding to the moving picture, as recited in Claims 16-18. Likewise, Riek fails to remedy this deficiency, and therefore, none of the cited reference, alone or in combination, teach or suggest Applicants' Claims 16/23, 17/24 and 18/25 which include the above distinguished limitations by virtue of dependency. Therefore, the Official Action does not provide a *prima facie* case of obviousness with regard to any of these claims.

Accordingly, Applicants respectfully request the rejection of Claims 16/23, 17/24 and 18/25 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-25 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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